

BINGEN CITY COUNCIL MINUTES

January 17 adjourned to January 24, 2017

The meeting was called to order by Mayor Betty J. Barnes at 7:00 p.m. Council members present: Catherine Kiewit, Izzy Schroder, Dan Armstrong, Stephanie Porter. Staff present: City Attorney Chris Lanz, City Administrator Jan Brending. Audience present: Michelle Scott, Stephen Curley, Margie Lemberger, Johnathan Vanella, Tammy Kaufman, Donna Rockwell, Becky Miles, Michelle Mayfield, Sean O'Connor, Jace Schroder, Laura Mann, Don Morgan, Linda Murray, Audrey Irwin, Kirsten Dennis, Jennifer Rowlen, Kalama Reuter, Becky Pyle, Linda Atkisson, Travis Tacon, Carl Warren.

Public Comment

Tammy Kaufman, Insitu

Tammy Kaufman said she now works for Insitu in community relations. She invited the city council to attend the Gorge-ous Night Out event in Olympia on February 15 at 6:30 p.m. Kaufman said it is an opportunity to meet with legislators and let them know about the Columbia Gorge area. She said an additional event will be held in Salem to meet with the Oregon legislators on March 9 at 5:00 p.m.

Council Member Vacancy

Catherine Kiewit introduced Becky Pyle who may be interested in the vacant council position.

Bingen-White Salmon Police Department

Betty Barnes said that Chief Wyckoff reported that Pedro Virgen will be working on his own at the end of February. She said the department is currently looking for another officer – preferably a lateral.

Approval of Minutes – December 20, 2016

Changes to the minutes of the December 20, 2016 regular council meeting were noted as follows:

Page 2, 1st paragraph, 2nd sentence should read: “He said he and his wife have been very vocal for human rights.”

Page 2, 2nd paragraph, last sentence should read: “Lawrence said it is important to embrace and affirm all people with the changes that have been happening, polarizing the country.”

Page 2, 11th paragraph, first sentence should read: “Jaime Mack, Zepher, said she believes the declaration is an affirmation of the community’s diversity.”

Catherine Kiewit moved to approve the meeting minutes of the December 20, 2016 regular council meeting as corrected. Stephanie Porter seconded the motion and it was unanimously passed.

Proposed Resolution 2017-001, Making a Declaration of Diversity and Inclusiveness

Catherine Kiewit said the resolution that was presented to the council at its December 20 meeting was revised. She said she worked on the proposed resolution with Jan Brending and Mayor Barnes.

The council was asked about including language that said the police department does not profile immigrant status.

Jan Brending explained the City of Bingen contracts with the City of White Salmon for law enforcement services and therefore does not direct the actions of the police department.

Betty Barnes said she read the proposed resolution on the radio station recently.

Jan Brending noted that after adoption the resolution will be placed on the front page of the city’s website along with a Spanish translation.

Izzy Schroder asked for clarification of the second sentence on the first page.

Betty Barnes said the City of Bingen has always been open as a community and in fact has involved the Hispanic community in its activities.

It was noted that there is an error in the 4th whereas clause in that “general” should be “gender.”

Stephanie Porter moved to adopt Resolution 2017-001, Making a Declaration of Diversity and Inclusiveness with the correction. Dan Armstrong seconded the motion and it was unanimously passed.

Public Hearing, Proposed Conditional Use Permit 2016-004, Stephen Curley, Residential Use in Commercial Facility

Betty Barnes opened the public hearing for a proposed conditional use permit submitted by Stephen Curley.

Betty Barnes asked if there was any ex parte contact or conflict of interest. There were none reported.

Jan Brending provided an overview of the proposed conditional use permit application which is to convert 504 square feet of 2,700 square feet of commercial space to residential use. She said the subject property is located at 218-220 W. Steuben and consists of three office spaces; two of which are accessed off of Steuben and a small space accessed off of Alder. Brending said the small space accessed off of Alder is proposed to be converted to residential use. She said the city has received no comments on the proposal. Brending noted there are two permitted conditional use permits for residential use in a commercial facility and 3 grandfathered residential uses within commercial facilities located in Bingen.

Stephen Curley said he purchased the property last April. He said the apartment will be used by the owner of Pine Shed Ribs which is moving into the Killer Burger location.

Catherine Kiewit asked if there will be parking available for the apartment.

Stephen Curley said there is off-street parking available behind the building.

Tammy Kaufman said that she previously worked for Edward Jones which is leasing one of the office spaces and she doesn't see any issues with having an apartment in the building.

Tom Butler said he thinks approving the conditional use permit would be a pro-business move. He said he thinks it is a good idea.

Stephanie Porter asked who will be moving into the other office space.

Stephen Curley said Klickitat Title is leasing the space and they have no issues with an apartment.

Betty Barnes closed the public hearing.

Stephanie Porter moved to approve the conditional use permit application submitted by Stephen Curley for converting 504 square feet of a 2,700 square foot commercial facility located at 218-220 W. Steuben to residential use based on the finding that the proposed conditional use meets the requirements of Bingen Municipal Code 17.40.30. Izzy Schroder seconded the motion and it was unanimously passed.

Public Hearing, Proposed Conditional Use Permit 2016-002, Margie Lemberger, Residential Use in a Commercial Facility

Betty Barnes opened the public hearing for a proposed conditional use permit submitted by Margie Lemberger

Betty Barnes asked if there was any ex parte contact or conflict of interest. There were none reported.

Jan Brending provided an overview of the proposed conditional use permit application which is to convert 732 square feet of 2,064 square feet of commercial space to residential use. She said the subject property is located at 419 E. Steuben. Brending said the subject structure was previously used as a single-family residence. She said the property owner is converting the structure to commercial use with a separate conditional use permit for a light industrial use manufacturing marijuana products in a portion of the structure. She said the city has received no comments on the proposal. Brending noted there are two permitted conditional use permits for residential use in a commercial facility and 3 grandfathered residential uses within commercial facilities located in Bingen.

Margie Lemberger said she bought the property which was in great disrepair. She said the things that were done to the structure were not permitted. Lemberger said the apartment will have front and back door and with no access to and from the commercial space. She said that she feels apartments are needed in our community.

Tom Butler said he supports the project. He said Bingen needs apartments and that it seems like a good business venture.

Jace Schroder said he supports the project because of the need for housing.

Catherine Kiewit asked why the property owner would not rezone the property.

Lemberger said she wants both residential and commercial.

Jan Brending noted it is somewhat difficult to rezone a single-parcel in the middle of a larger zoning.

Catherine Kiewit said the city is aware of the housing need in the Gorge.

Betty Barnes closed the public hearing.

Izzy Schroder moved to approve the conditional use permit application submitted by Margie Lemberger for converting 732 square feet of a 2,064 square foot commercial facility located at 419 E. Steuben to residential use based on the finding that the proposed conditional use meets the requirements of Bingen Municipal Code 17.40.30. Dan Armstrong seconded the motion and it was unanimously passed.

Public Hearing, Proposed Conditional Use permit 2016-003, Johnathan Vanella - JV Ranch LLC, Light Industrial Use Processing Marijuana Products.

Betty Barnes opened the public hearing for a proposed conditional use permit submitted by Johnathan Vanella – JV Ranch LLC.

Betty Barnes asked if there was any ex parte contact or conflict of interest. There were none reported.

Jan Brending provided an overview of the proposed conditional use permit application which is to operate a light industrial business processing marijuana products including manicuring dry flowers, baking marijuana infused products and distillation. She said the subject property is located at 419 E. Steuben. Brending said the subject structure was previously used as a single-family residence. She said the property owner is converting the structure to commercial use with a separate conditional use permit for converting a portion of the space to residential use. She said the city has received no comments on the proposal. Brending noted the city has permitted a number of light industrial uses in commercial zones including a business processing marijuana products. She said the owner of the property has indicated that there will be 13 parking spaces available for the property – 11 to be used for the light industrial business and 2 for the apartment.

Johnathan Vanella said he would like to move his processing business to Bingen. He provided an overview of his processing of marijuana products. Vanella said there will be no toxic fumes.

Tom Butler said he is a marijuana producer and processor in Klickitat County. He said it seems like a good business decision in that the business will provide family-wage jobs. Butler said he supports the conditional use permit.

Travis Tacon said he operates a medical cannabis resource center for educational purposes. He said he supports the conditional use permit. Tacon said medical marijuana is at risk of being appropriated by recreational marijuana. He said Vanella focuses on wellness products that are helpful to the medical marijuana community.

Sean O'Connor said he lives in Bingen and has rented out office space for his business. He said he did an article on the JV Ranch recently and is very impressed with Vanella and his employees. O'Connor said it seems like a good thing for the community.

Dan Armstrong asked if he would be moving his staff from Goldendale to Bingen.

Johnathan Vanella said he has 6 staff in Goldendale and that 2 of those are from the Bingen area. He said he will likely hire as he needs more staff.

Audrey Irwin said he lives in White Salmon. He said more jobs are needed for working families. Irwin said that businesses that produce medicinal marijuana products are also needed.

Carl Warren said he thinks it is a good approach to participate in the whole process of producing and processing marijuana products.

Margie Lemberger said she will be living next door to the location and knows Vanella will be responsible.

Izzy Schroder thanked Vanella for his professionalism and preparedness. She asked if handicapped parking is required. Schroder noted that she has concerns about safety of employees while parking on Highway 14.

Jan Brending noted that handicapped parking will be required. She said a preliminary site plan including parking has been submitted. Brending said it will need to be reviewed to insure that individuals are not backing out into Highway 14 from the property.

Johnathan Vanella noted that the state has specific requirements related to security systems including cameras and alarms. He said it is his best interest to protect the area.

Izzy Schroder asked Margie Lemberger what her experience in working with the Bingen-White Salmon Police Department has been.

Margie Lemberger said it has been wonderful. She said there has been some problems with parking but no vandalism or theft.

Catherine Kiewit asked if the city collects taxes when the processor sells products to a retail facility.

Jan Brending said no. She said the state collects excise taxes and sales taxes at the retail level. Brending noted that excise taxes used to be charged at each level – production, processing and retail but that was changed last year to be collected only at the retail level.

Catherine Kiewit said that aromatic products can be fragrant.

Johnathan Vanella said he does not anticipate any odors leaving the building. He said if there are problems there are remediation procedures such as carbon filtration that can be done.

Tom Butler noted that cured flowers do not have the level of odor that growing marijuana plants do.

Betty Barnes closed the public hearing.

Catherine Kiewit moved to approve the conditional use permit application submitted by Johnathan Vanella, JV Ranch LLC to operate a light industrial use processing marijuana products including manicuring dry flowers, baking marijuana infused products and distillation in a commercial facility located at 419 E. Steuben based on the finding that the proposed conditional use meets the requirements of Bingen Municipal Code 17.40.30 and including a provision that if odors become detectable that remediation procedures will be required. Stephanie Porter seconded the motion and it was unanimously passed.

Mayor's Update and Council Comments

Christmas Tree

Betty Barnes said the Christmas tree may stay up until snow removal is done.

Snow Removal

Betty Barnes said she thinks the employees have done a wonderful job on snow removal.

Catherine Kiewit said she hopes that employees can go through equipment in August to determine what might need to have maintenance or replaced.

Jan Brending noted that the equipment is inspected by David Spratt prior to the winter season.

Tammy Kaufman noted that the facilities department of Insitu has also helped with snow removal.

Betty Barnes noted that SDS Lumber also provided assistance.

Student Council Member

Catherine Kiewit noted that for the last couple of years the city has not had a student council member and that she would like to see that position reinstated.

Jan Brending said that is her fault. She said she will reach out to the school this spring to see if they can identify several individuals who live in Bingen who might be juniors or seniors next year.

Betty Barnes said she has spoken to Beth Sauter about making a presentation at the elementary school about Bingen government.

Animal Control

Dan Armstrong asked how the animal control officer is doing.

Betty Barnes said Mike Solomon is scheduled for training in early March.

Voucher Approval

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims certified as required by RCW 42.24.090 as of this date January 24, 2017. The council by unanimous vote does approve for payment the following list: checks 18869 (dated 12/07/2016) totaling \$12.63. General Fund – \$3.16; Street - \$3.16; Water - \$3.15; Sewer - \$3.16.

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims certified as required by RCW 42.24.090 as of this date January 24, 2017. The council by unanimous vote does approve for payment the following list: checks 18910-18930 (dated 12/29/2016) totaling \$21,407.32. General Fund – \$4,440.70; Street - \$2,933.89; Water - \$4,740.58; Sewer - \$845.09; Treatment Plant - \$4,697.29; Water Construction & Maintenance Fund - \$2,938.30; Court Remittance Agency Fund - \$811.47.

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims certified as required by RCW 42.24.090 as of this date January 24, 2017. The council by unanimous vote does approve for payment the following list: checks 18942-18953 (dated 12/30/2016) totaling \$13,095.25. General Fund – \$2,847.75; Street - \$1,291.58; Water - \$1,645.70; Sewer - \$2,183.64; Treatment Plant - \$5,126.48.

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims certified as required by RCW 42.24.090 as of this date January 24, 2017. The council by unanimous vote does approve for payment the following list: checks 18931-18937 (dated 01/03/2017) totaling \$34,132.48. General Fund – \$29,952.96; Street - \$669.86; Water - \$1,419.90; Sewer - \$1,419.90; Treatment Plant - \$669.86.

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims certified as required by RCW 42.24.090 as of this date January 24, 2107. The council by unanimous vote does approve for payment the following list: checks 18931-18937 (dated 01/24/2017) totaling \$11,131.74. General Fund – \$1,654.18; Street - \$4,614.45; Water - \$1,288.21; Sewer - \$195.02; Treatment Plant - \$3,379.88.

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims certified as required by RCW 42.24.090 as of this date January 24, 2017. The council by unanimous vote does approve for payment the following list: payroll EFT and checks 18905-18909 (dated 12/30/2016) totaling \$24,056.35. General Fund – \$11,507.93; Street - \$3,658.29; Water - \$2,348.16; Sewer - \$386.71; Treatment Plant - \$6,155.26.

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims certified as required by RCW 42.24.090 as of this date January 24, 2017. The council by unanimous vote does approve for payment the following list: payroll EFT (dated 12/31/2016) totaling \$2,654.71. General Fund – \$1,124.61; Street - \$491.72; Water - \$284.22; Sewer - \$45.55; Treatment Plant - \$708.61.

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims certified as required by RCW 42.24.090 as of this date January 24, 2017. The council by unanimous vote does approve for payment the following list: payroll EFT and checks 18938-18941 (dated 1/13/2017) totaling \$16,620.99. General Fund – \$6,551.59; Street - \$2,778.20; Water - \$1,858.09; Sewer - \$351.00; Treatment Plant - \$5,082.11.

At 8:45 p.m. the council adjourned.

City Clerk

Mayor